

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
 AND SPECIAL EXCEPTION -- W/S \*  
 Merritt Blvd. & German Hill Rd. \* DEPUTY ZONING COMMISSIONER  
 (1300 Merritt Boulevard) \*  
 12th Election District \* OF BALTIMORE COUNTY  
 7th Councilmanic District \*  
 Case No. 95-496-SPHX  
 Exxon Corporation \*  
 Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 1300 Merritt Boulevard, located in the vicinity of Gray Manor in Dundalk. The Petitions were filed by the owners of the property, the Exxon Corporation, by Michael J. Specht, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval of an amendment to the previously approved site plan in Case No. 87-269-XA and a special exception for a fuel service station use in combination with a roll-over car wash. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were G. Scott Barhight, Esquire, attorney for the Petitioners, and Timothy F. Whittie, Professional Engineer, who prepared the site plan for this project. There were no Protestants present.

Testimony and evidence offered that the subject property consists of 70,422.53 sq.ft., more or less, zoned B.M.-C.S.A. and B.M.-C.C.C., and is improved with a gasoline service station and convenience store. The property was the subject of prior Case No. 87-269-XA in which the Petitioners were granted a special exception and variance for the existing food

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

store use in combination with a fuel service station on January 13, 1987. The Petitioners now come before me seeking approval to add a roll-over car wash to the existing facilities on the site and thus, the requested relief is necessary. Testimony and evidence presented demonstrated that there is ample space at this site to add the proposed car wash. Furthermore, the Petitioners satisfy all setback requirements and all other regulations dealing with car wash uses. Testimony indicated that representatives of the Petitioner have met with the Office of Planning and have received the full support of that agency for this project.

It is clear that the B.C.Z.R. permits the use proposed in a B.M.-C.S.A. and B.M.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

5/11/95  
[Signature]

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.


After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing and special exception were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land and the relief requested will not be detrimental to the public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of August, 1995 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 87-269-XA for a proposed roll-over car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for a fuel service station use in combination with a roll-over car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 8/11/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION  
W/S Merritt Boulevard and German Hill Road  
(1300 Merritt Boulevard)  
12th Election District - 7th Councilmanic District  
Exxon Corporation - Petitioner  
Case No. 95-496-SPHX

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Michael J. Specht, Exxon Corporation  
6301 Ivy Lane, Suite 700, Greenbelt, Md. 20770

Mr. Timothy F. Whittie, Frederick Ward Associates, Inc.  
5 S. Main Street, Bel Air, Md. 21014

People's Counsel

File





# Petition for Special Hearing

75-496-SPHX

to the Zoning Commissioner of Baltimore County

for the property located at 1300 Merritt Boulevard

which is presently zoned BM-CSA and BM-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Amendments to the previously approved plan in case no. 87-269-XA

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight  
(Type or Print Name)

Signature

Whiteford, Taylor & Preston  
210 W. Pennsylvania Ave., 4th Fl.

Address

Phone No.

Towson, MD 21204 (410) 832-2000

City

State

Zipcode

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Michael J. Specht

(Type or Print Name)

Signature

6301 Ivy Lane, Suite 700 (301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Whiteford, Taylor & Preston

Name

210 W. Pennsylvania Avenue, 4th Fl.

Address Towson, MD 21204 (410) 832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: 50A DATE 6-27-95

4489

WILKINSON

ORDER RECEIVED FOR FILING

Date

By





# Petition for Special Exception

75-496-SPHX  
to the Zoning Commissioner of Baltimore County

for the property located at 1300 Merrit Boulevard

which is presently zoned BM-CSA and  
BM-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A fuel service station use-in-combination with a roll-over car wash

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue, 4th Fl.

Address

Towson, MD 21204

Phone No.

(410) 832-2000

City

State

Zipcode

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Michael J. Specht

(Type or Print Name)

Signature

6301 Ivy Lane, Suite 700 (301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

DAVID GLIDDEN

Whiteford, Taylor & Preston

Name

210 W. Pennsylvania Avenue, 4th Fl.

Address

Towson, MD 21204 (410) 832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JMD

DATE

6-27-95

#489

ORDER RECEIVED FOR FILING

Date

6/27/95



# Frederick Ward Associates, Inc.

Main Office: P.O. Box 727 5 South Main Street Bel Air, Maryland 21014 (410) 838-7900 / 879-2090 Fax (410) 893-1243

95-496-SPHX

## ZONING DESCRIPTION

1300 Merritt Boulevard  
Twelfth Election District  
Baltimore County, Maryland

BEGINNING for the same at a point on the westerly right-of-way line of Merritt Boulevard at its intersection with the southerly end of an intersection fillet connecting Merritt Boulevard with the southerly right-of-way line of German Hill Road. Thence binding on Merritt Boulevard

1) South  $14^{\circ}51'12''$  East 200.00 feet. Thence leaving Merritt Boulevard

2) South  $75^{\circ}08'46''$  West 140.00 feet

3) North  $55^{\circ}44'06''$  West 183.34 feet

4) North  $14^{\circ}51'07''$  West 197.62 feet to intersect the southerly right-of-way line of German Hill Road. Thence binding thereon

5) by a curve to the right, in a northeasterly direction of radius 1238.24 feet an arc distance of 153.50 feet and subtended by a chord North  $79^{\circ}49'35''$  East 153.40 feet. Thence along the said intersection fillet

6) South  $55^{\circ}44'09''$  East 163.63 feet to the point of beginning hereof

CONTAINING 70423 square feet (1.617 Acres) of land more or less.



*Vincent X. Noh* 6/23/95

#489

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-496-SP#4

District 12th

Date of Posting 7/23/95

Posted for: Special Hearing & Exception

Petitioner: Exxon Corp

Location of property: 1200 Morritt Blvd

Location of Signs: Facing the way, on property being zoned

Remarks:

Posted by

M. Healy

Signature

Date of return:

7/28/95

Number of Signs:

1



## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-496-SPHX  
(Item 489)

1300 Merritt Boulevard  
W/S Merritt Boulevard  
12th Election District  
7th Councilmanic

Legal Owner(s):  
Exxon Corporation

Hearing: Monday,  
August 7, 1995 at 2:00  
p.m. in Rm. 118, Old  
Courthouse.

Special Hearing to approve  
amendments to the previously  
approved plan in case  
#87-269-XA. Special Excep-  
tion for a fuel service station  
use in combination with a roll-  
over car wash.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handi-  
capped Accessible; for special ac-  
commodations: Please Call  
887-3353.

(2) For information concern-  
ing the File and/or Hearing, Please  
Call 887-3391.  
7/136 July 13.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

July 14, 1995

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on July 13, 1995.

THE JEFFERSONIAN,

A. H. Harrison

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No

002707

DATE 7/5/95 ACCOUNT F-0016150

AMOUNT \$ 40.00

RECEIVED FROM: Whiteford, Taylor, Pession

FOR: DKC - LADON 1300 Meritt Blvd.

036030033010000  
BA COLLEGE 07-05-95

036030033010000  
BA COLLEGE 07-05-95

\$40.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER  
YELLOW - CUSTOMER

*aw*

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

152819

95-496-SPHX

DATE 6-27-95 ACCOUNT P-CC1-111

WHITE FORD, TAYLOR, PESSON (EXX NEW)  
1300 MERITT BOULEVARD

AMOUNT \$ 690.00

RECEIVED FROM: WHITE FORD, TAYLOR, PESSON (EXX NEW)

OSC SPECIAL EXCEPTION  
OSC SPECIAL HEARING  
OSC SIGNS (4)

300  
250  
140

FOR: TOTAL \$690

036030033010000

\$690.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER  
YELLOW - CUSTOMER

*1-TOTAL #459*

TO: PUTUXENT PUBLISHING COMPANY  
July 13, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204  
832-2000

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#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-496-SPHX (Item 489)  
1300 Merritt Boulevard  
W/S Merritt Boulevard  
12th Election District - 7th Councilmanic  
Legal Owner(s): Exxon Corporation  
HEARING: MONDAY, AUGUST 7, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve amendments to the previously approved plan in case #87-269-XA.  
Special Exception for a fuel service station use-in-combination with a roll-over car wash.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 10, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-496-SPHX (Item 489)

1300 Merritt Boulevard

W/S Merritt Boulevard

12th Election District - 7th Councilmanic

Legal Owner(s): Exxon Corporation

HEARING: MONDAY, AUGUST 7, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve amendments to the previously approved plan in case #87-269-XA.  
Special Exception for a fuel service station use-in-combination with a roll-over car wash.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Exxon Corporation/Michael J. Specht  
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 31, 1995

G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Ave., 4th Floor  
Towson, Maryland 21204

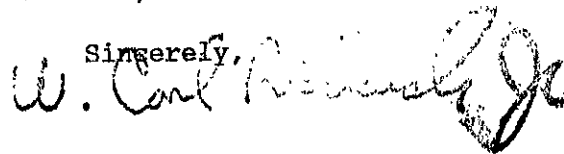
RE: Item No.: 489  
Case No.: 95-496-SPHX  
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)




BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: July 25, 1995

FROM: Pat Keller, Director, OPZ 

SUBJECT: 1300 Merritt Boulevard

INFORMATION:

Item Number: 489

Petitioner: Exxon Corporation

Property Size: \_\_\_\_\_

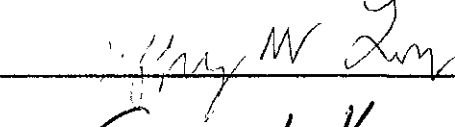
Zoning: BM-AS & BM-CCC

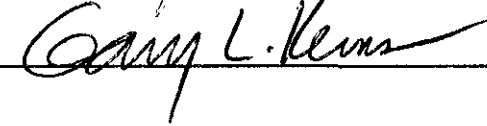
Requested Action: Special Exception & Special Hearing

Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

Staff has met with representatives of the applicant throughout the development of the plan accompanying the subject petition. The end result of these meetings is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: 

Division Chief: 

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/13/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: EXXON CORPORATION

LOCATION: W/S MERRITT BLVD.NWC GERMAN HILL RD.(1300 MERRITT BLVD.EXXON

Item No.: 489

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: July 24, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: *RWB* Zoning Advisory Committee Meeting  
for July 17, 1995  
Items 479, 481, 482, 483, 484, 487, 488, 489, *2*  
490, 491, 492, ~~493~~, 495 and 496

The Development Plans Review Division has reviewed  
the subject zoning item and we have no comments.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/18/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/10/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478

479

480

481

483

484

485

486

487

489

490

491

494

496

revised 467

LS:sp

LETTY2/DEPRM/TXTSBP



Maryland Department of Transportation  
State Highway Administration

Hal Kassoff  
Administrator

7-7-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County

Item No.: 489 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

## **PETITION PROBLEMS AGENDA OF JULY 10, 1995**

### **#479 --- CAM**

1. No review information on bottom of petition form.

### **#485 --- JJS**

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

### **#486 --- MJK**

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

### **#488 --- RT**

1. Need typed or printed name and title of person signing for contract purchaser.

### **#489 --- JRA**

1. Need title of person signing for legal owner.

### **#493 --- JRA**

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

### **#494 --- JRA**

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

### **#495 --- JJS**

1. Notary public section is incomplete.


### **#496 --- JJS**

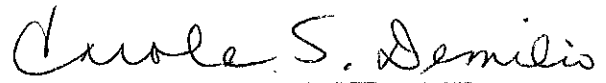
1. No original signatures on petitions.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
1300 Merritt Boulevard, W/S Merritt Blvd,	*	ZONING COMMISSIONER
NWC German Hill Road, 12th Election		
District, 7th Councilmanic	*	OF BALTIMORE COUNTY
Exxon Corporation	*	CASE NO. 95-496-SPHX
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

  
PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

  
PETER MAX ZIMMERMAN

10:

Perhaps you'd like to attach this to your Spec. Exc. file.

Glavin  
12/28/95  
gl

BRC UPDATE			
POLY NO:		PROJECT:	EXXON STATION AT MCLEAN BLVD.
BRC NUMBER:	07175K	LOCATION:	1300 MERRITT BLVD
PLAN TYPE:	LTD EXEMP	ACTION DATE:	7/17/95
		EHC ACTION:	A-7
Refinement Review by DPM:	<input type="checkbox"/> No	Refinement Review by SWM:	<input type="checkbox"/> No
Refinement Review by OPZ:	<input type="checkbox"/> No	Refinement Review by ZADM:	<input type="checkbox"/> No
Refinement Review by EHC:	<input type="checkbox"/> No	Refinement Review by SHC:	<input type="checkbox"/> No
COMMENTS: SPECIAL EXCEPTION REQUIRED			

ADDITIONAL: 1.6167  
EHC DIST: 12  
GDNG DIST: 7

Find Record
Print Form
Delete Record
Save Record

95-499



# Development Review Committee Request Form

07175K# ✓

**2 Copies of the Plan are Required**

**FEE: \$40.00** (payable to Baltimore County and is non-refundable)

Applicant Name: Exxon Corporation Filing Date: \_\_\_\_\_  
Address: 6301 Ivy Lane, Suite 700 Phone #: (410) 832-2000  
Greenbelt, MD 20770  
Project Name: Exxon Station at McClean Blvd. File #: \_\_\_\_\_  
Location: 1300 Merritt Blvd. ADC Map #: \_\_\_\_\_  
Councilmanic District: 7th Election District: 12th

**Request:**

☐ Refinement

☒ Limited Exemption

☐ Waiver

(Attach letter if necessary)

## Committee Action:

DO NOT WRITE BELOW THIS LINE!

TO BE FILLED OUT BY COUNTY

DRC #: \_\_\_\_\_

- ( ) Denied  
( ) Limited Exemption under Section 26-171( ) ( )  
( ) Material Amendment to the plan (*new CRG or HOH must be scheduled*)  
( ) Non-material Amendment to the CRG plan forwarded to Planning Board for determination  
( ) Plan Refinement (*submit enough plans for the agencies checked off below*)  
( ) Waiver recommendation forwarded to Planning Board for determination  
( ) Waiver of Standards referred to \_\_\_\_\_  
( ) Zoning requires a ( ) Special Hearing; ( ) Special Exception; ( ) Variance  
( ) Other \_\_\_\_\_

## COMMITTEE COMMENTS:

### Agencies to Review and Return Comments to Committee:

( ) DPW ( ) OPZ ( ) Zoning ( ) DEPRM ( ) EIRD ( ) SWM ( ) Rec & Parks ( ) Fire

MICROFILMED

Signature of Coordinator \_\_\_\_\_ Meeting Date: \_\_\_\_\_

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D C 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

DAVID K. GILDEA  
DIRECT NUMBER  
410 832-2066

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

July 3, 1995

Mr. Arnold Jablon  
Director, Office of Zoning Administration and  
Development Management  
Room 109, 111 W. Chesapeake Avenue  
Towson, Maryland 21204

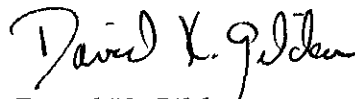
**Re: Exxon Station at 1300 Merritt Boulevard**

Dear Mr. Jablon:

Exxon Corporation, by and through its attorneys, G. Scott Barhight and Whiteford, Taylor & Preston, hereby request a limited exemption pursuant to § 26-171(a)(7) of the Baltimore County Code for the above-referenced property. Exxon will be requesting a special hearing to add a roll-over car wash to the existing fuel service station. The addition of the roll-over car wash to the site constitutes "the construction of a minor commercial structure" and we respectfully request a limited exemption pursuant to § 26-171(a)(7) be granted.

Thank you for your attention to this matter. With kind regards.

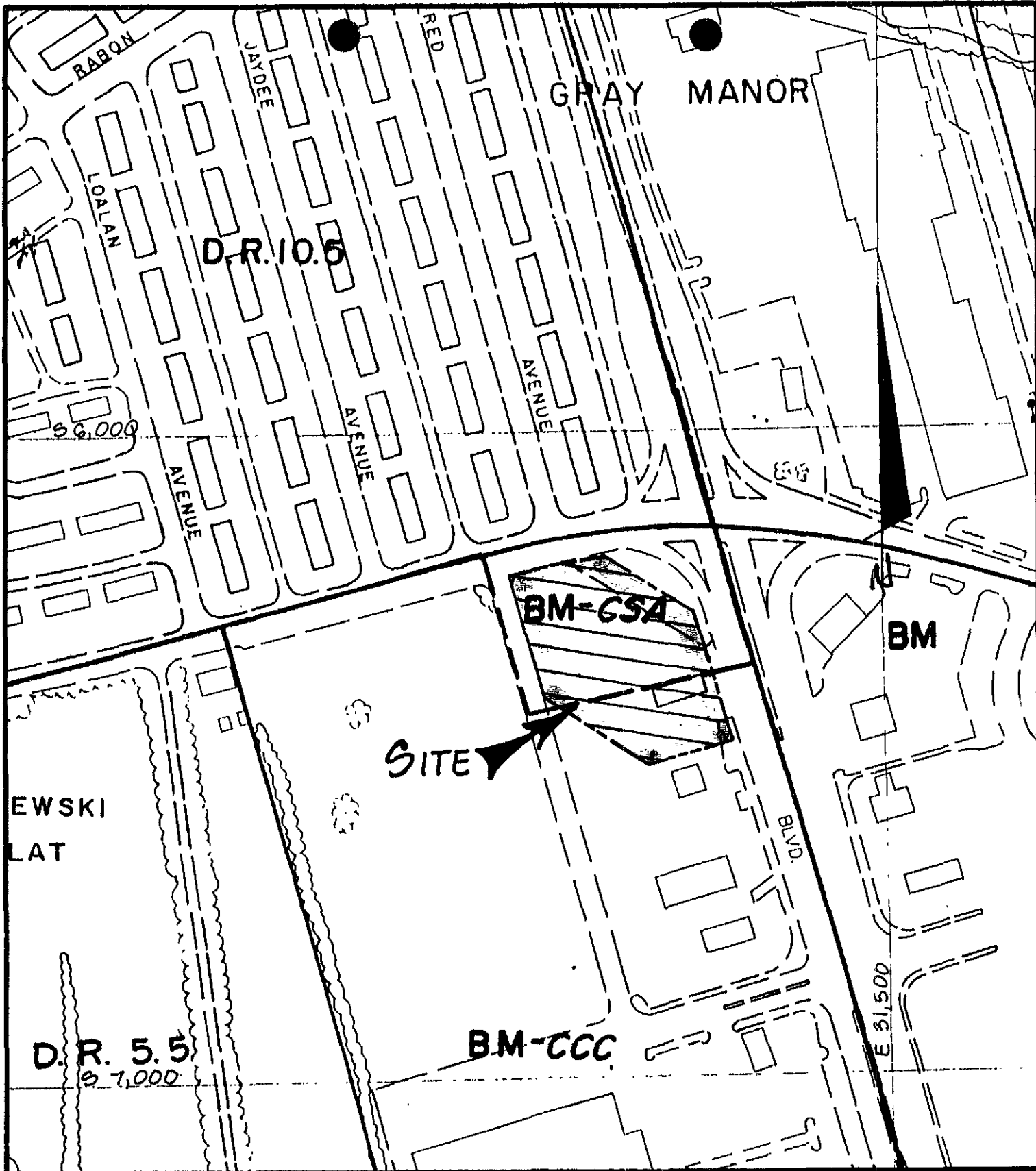
Very truly yours,

  
David K. Gildea

DKG:dmk

cc: Mr. Michael Specht  
51993

WHITEFORD, TAYLOR & PRESTON



SCALE	DATE
1"=200'	06/23/94
DR. BY	CH. BY
PE	JBG
PLAT NO.	JOB NO.
	05148.00

FREDERICK WARD ASSOCIATES, INC.

ENGINEERS-ARCHITECTS-SURVEYORS

5 SOUTH MAIN STREET

BEL AIR, MARYLAND 21014-0727

(410)838-7900 (410)879-2090



**EXXON**

ZONING MAP

LOCATION No. 2-7813

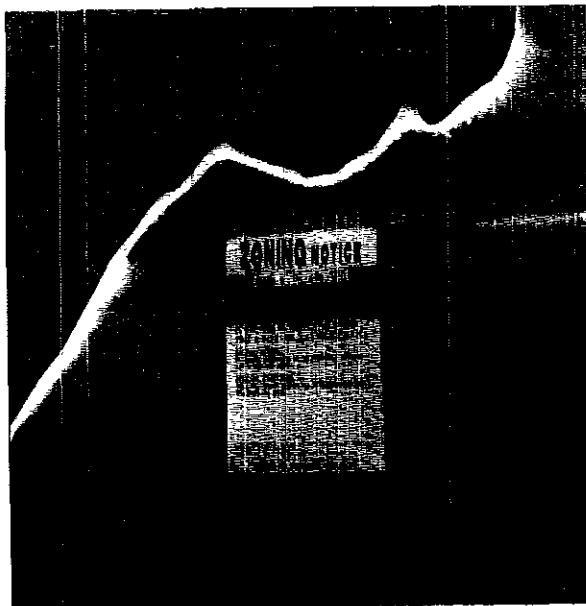
1300 MERRITT BOULEVARD

BALTIMORE, MARYLAND

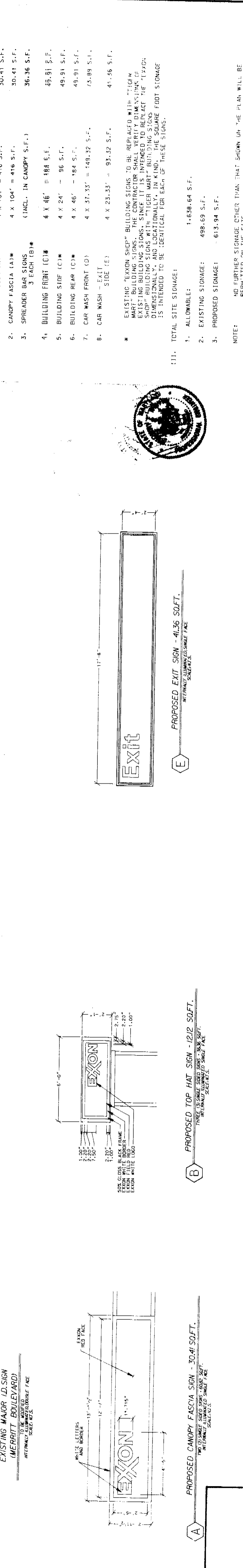
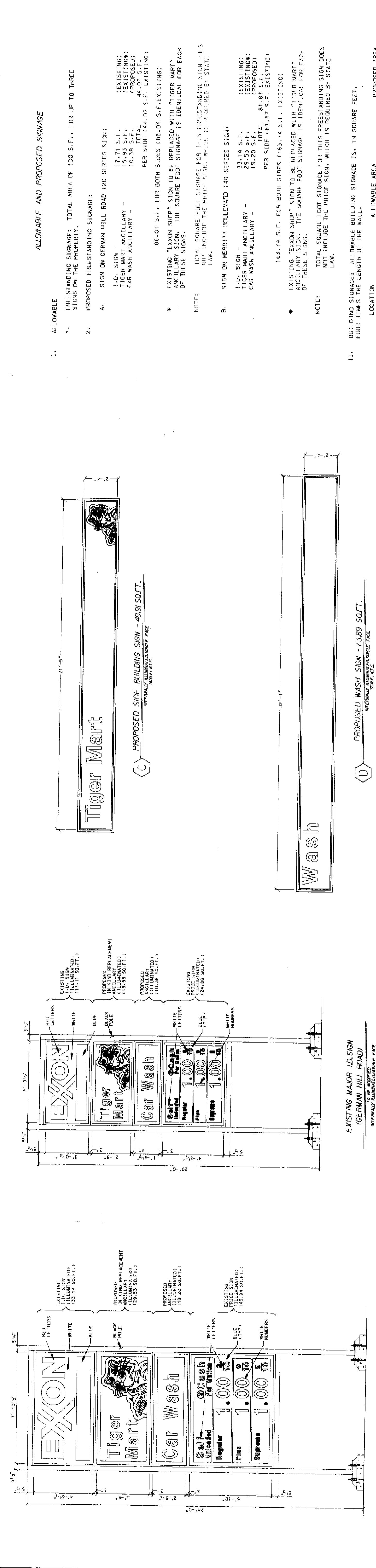
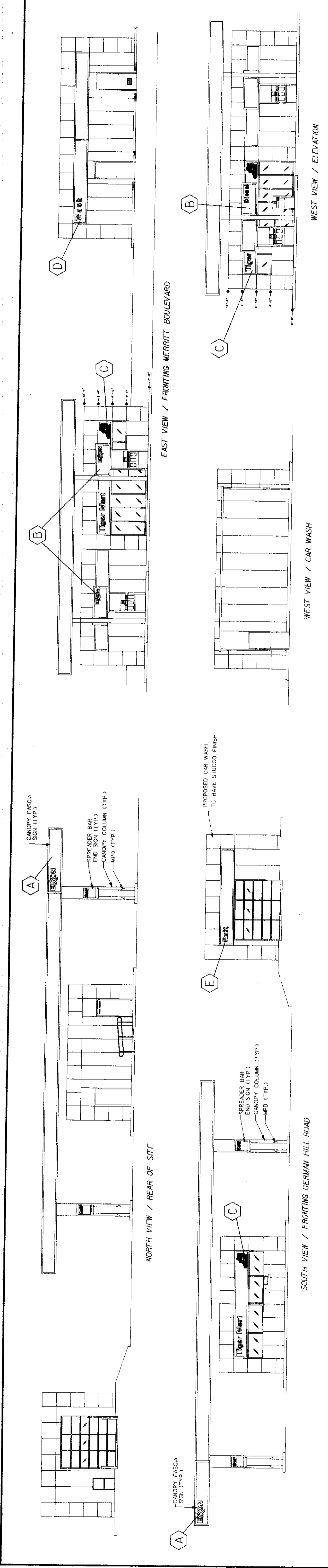
95-496-SPHX

#489

95-496-SPHX



MICROFILMED



OWNER/DEVELOPER <b>EXON COMPANY, U.S.A.</b> 6301 IVY LANE GREENBELT, MARYLAND 20770 PHONE: (301) 513-7511 ATTN: MR. MIKE SPECHT				FREDERICK WARD ASSOCIATES INC. ENGINEERS ARCHITECTS 1111 11TH MARY STREET BALTIMORE, MARYLAND 21202 PHONE: (410) 779-7900				SPECIAL EXCEPTION PLAN <b>EXON COMPANY, U.S.A.</b> A DIVISION OF EXON CORPORATION Marketing Department Red Estate & Engineering DATE: 06/14/95 DRAWN BY: MSM CHK. BY: JBC SCALE: AS NOTED				BUILDING AND SIGNAGE PLAN 1300 MERRITT BOULEVARD BALTIMORE COUNTY, MARYLAND 12TH ELECTION DISTRICT 7TH COUNCIL DISTRICT				PROJECT NO. 95148-00 DISC. NO. EXSIG-001 R.S. NO. 2-1813 DWG. NO. SHT 2 OF 3			
--	--	--	--	---	--	--	--	---	--	--	--	--	--	--	--	---	--	--	--





IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - W/S Merritt Blvd. & German Hill Rd. (1300 Merritt Boulevard) 12th Election District 7th Councilmanic District

\* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

\* Case No. 95-496-SPHX

Exxon Corporation  
Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 1300 Merritt Boulevard, located in the vicinity of Gray Manor in Dundalk. The Petitions were filed by the owners of the property, the Exxon Corporation, by Michael J. Specht, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval of an amendment to the previously approved site plan in Case No. 87-269-XA and a special exception for a fuel service station use in combination with a roll-over car wash. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were G. Scott Barhight, Esquire, attorney for the Petitioners, and Timothy F. Whittie, Professional Engineer, who prepared the site plan for this project. There were no Protestants present.

Testimony and evidence offered that the subject property consists of 70,422.53 sq.ft., more or less, zoned B.M.-C.S.A. and B.M.-C.C.C., and is improved with a gasoline service station and convenience store. The property was the subject of prior Case No. 87-269-XA in which the Petitioners were granted a special exception and variance for the existing food

store use in combination with a fuel service station on January 13, 1987. The Petitioners now come before me seeking approval to add a roll-over car wash to the existing facilities on the site and thus, the requested relief is necessary. Testimony and evidence presented demonstrated that there is ample space at this site to add the proposed car wash. Furthermore, the Petitioners satisfy all setback requirements and all other regulations dealing with car wash uses. Testimony indicated that representatives of the Petitioner have met with the Office of Planning and have received the full support of that agency for this project.

It is clear that the B.C.Z.R. permits the use proposed in a B.M.-C.S.A. and B.M.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing and special exception were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land and the relief requested will not be detrimental to the public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of August, 1995 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 57-269-XA for a proposed roll-over car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for a fuel service station use in combination with a roll-over car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION  
W/S Merritt Boulevard and German Hill Road  
(1300 Merritt Boulevard)  
12th Election District - 7th Councilmanic District  
Exxon Corporation - Petitioner  
Case No. 95-496-SPHX

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 897-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Michael J. Specht, Exxon Corporation  
6301 Ivy Lane, Suite 700, Greenbelt, Md. 20770

Mr. Timothy F. Whittie, Frederick Ward Associates, Inc.  
5 S. Main Street, Bel Air, Md. 21014

People's Counsel

File

Printed with Soybean Ink  
on Recycled Paper

## Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 1300 Merritt Boulevard

which is presently zoned BM-CSA and BM-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under the Zoning Regulations of Baltimore County, to use the herein described property for

Amendments to the previously approved plan in case no. 87-269-XA

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

*Michael J. Specht*

Signature

(Type or Print Name)

Michael J. Specht

Signature

(Type or Print Name)

6301 Ivy Lane, Suite 700 (301) 513-7511

Greenbelt, MD 20770

Phone No.

City

State

Zip Code

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

*G. Scott Barhight*

Signature

(Type or Print Name)

Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue, 4th Fl.

Towson, MD 21204 (410) 832-2000

Phone No.

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

Uninterruptible for Hearing

Next Two Months

ALL

OTHER

REVIEWED BY: *SDA* DATE: *6-27-95*

# 489

## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1300 Merritt Boulevard

which is presently zoned BM-CSA and BM-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A fuel service station use-in-combination with a roll-over car wash

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

*Michael J. Specht*

Signature

(Type or Print Name)

Michael J. Specht

Signature

(Type or Print Name)

6301 Ivy Lane, Suite 700 (301) 513-7511

Greenbelt, MD 20770

Phone No.

City

State

Zip Code

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

*G. Scott Barhight*

Signature

(Type or Print Name)

Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue, 4th Fl.

Towson, MD 21204 (410) 832-2000

Phone No.

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

Uninterruptible for Hearing

Next Two Months

ALL

OTHER

REVIEWED BY: *SDA* DATE: *6-27-95*

# 489



Frederick Ward Associates, Inc.

Main Office: P.O. Box 721, 5 South Main Street, Bel Air, Maryland 21034 410-838-7600 / 410-290-0000 Fax: 410-893-1243

#### ZONING DESCRIPTION

1300 Merritt Boulevard  
Twelfth Election District  
Baltimore County, Maryland

BEGINNING for the same at a point on the westerly right-of-way line of Merritt Boulevard at its intersection with the southerly end of an intersection fillet connecting Merritt Boulevard with the southerly right-of-way line of German Hill Road. Thence binding on Merritt Boulevard

- 1) South 14°51'12" East 200.00 feet. Thence leaving Merritt Boulevard
- 2) South 75°38'46" West 140.00 feet
- 3) North 55°44'06" West 183.34 feet
- 4) North 14°51'07" West 197.62 feet to intersect the southerly right-of-way line of German Hill Road. Thence binding thereon
- 5) by a curve to the right, in a northeasterly direction of radius 1238.34 feet an arc distance of 153.50 feet and subtended by a chord North 79°49'35" East 153.40 feet. Thence along the said intersection fillet
- 6) South 55°44'09" East 163.63 feet to the point of beginning hereof

CONTAINING 70423 square feet (1.617 Acres) of land more or less.



*David A. Decker* 4/23/95

# 489

P.O. Box 3435 7900 Sully Road Suite 711 Manassas, Virginia 22110-3435 (703) 551-2271 / 361-7718 Fax (703) 361-0117

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: *12th* Date of Posting: *7/14/95*

Posted for: *Special Hearing & Exception*

Petitioner: *Exxon Corp.*

Location of property: *1300 Merritt Blvd.*

Location of Sign: *Along the way on property*

Remarks:

Posted by: *Michael J. Specht* Signature

Date of return: *7/14/95*

Number of Signs: *1*

## CERTIFICATE OF PUBLICATION

TOWSON, MD. *July 14, 1995*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of *1* successive weeks, the first publication appearing on *July 13, 1995*.

THE JEFFERSONIAN,

*A. H. Harrison*

LEGAL AD. - TOWSON

#### NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on August 7, 1995 at 2:00 p.m. in the 11th, 12th, 13th and 14th Councilmanic Districts.

Case: 95-496-SPHX

Item: 400

1300 Merritt Boulevard

12th Election District

Legal Owner(s):

Exxon Corporation

Legal Owner(s):

Michael J. Specht

Signature

(Type or Print Name)

6301 Ivy Lane, Suite 700 (301) 513-7511

Greenbelt, MD 20770

Phone No.

City

State

Zip Code

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

*G. Scott Barhight*

Signature

(Type or Print Name)

Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue, 4th Fl.

Towson, MD 21204 (410) 832-2000

Phone No.

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

Uninterruptible for Hearing

Next Two Months

ALL

OTHER

REVIEWED BY: *SDA* DATE: *6-27-95*

# 489

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 7/5/95 ACCOUNT: 00016120

AMOUNT: \$ 40.00

RECEIVED FROM: WHITEFOOD, Taylor, Preston

FOR: DKC - LAND, 1200 Merritt Blvd.

824-0480/33416480 \$40.00  
84-031132H-07-05-95

VALIDATION OR SIGNATURE OF CASHIER: *aw*

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 6/27/95 ACCOUNT: 95-496-SPHX

RECEIVED FROM: WHITEFOOD, Taylor, Preston

FOR: SPECIAL HEARING

824-0480/33416480 \$40.00  
84-031132H-07-05-95

VALIDATION OR SIGNATURE OF CASHIER: *1-701 # 489*

TO: FOTQUEST PUBLISHING COMPANY  
July 13, 1995 Issue - Jeffersonian

Please forward billing to:  
G. Scott Barhight, Esq.  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204  
832-2000

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-496-SPHX (Item 489)  
1300 Merritt Boulevard  
W/S Merritt Boulevard  
12th Election District - 7th Councilmanic  
Legal Owner(s): Exxon Corporation  
HEARING: MONDAY, AUGUST 7, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve amendments to the previously approved plan in case 887-269-1A.  
Special Exception for a fuel service station use-in-combination with a roll-over car wash.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

July 16, 1995 (410) 887-3353

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-496-SPHX (Item 489)  
1300 Merritt Boulevard  
W/S Merritt Boulevard  
12th Election District - 7th Councilmanic  
Legal Owner(s): Exxon Corporation  
HEARING: MONDAY, AUGUST 7, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve amendments to the previously approved plan in case 887-269-1A.  
Special Exception for a fuel service station use-in-combination with a roll-over car wash.

*Carl John*

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: Exxon Corporation/Michael J. Specht  
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

July 31, 1995 (410) 887-3353

G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Ave., 4th Floor  
Towson, Maryland 21204

RE: Item No.: 489  
Case No.: 95-496-SPHX  
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR/jw  
Attachment(s)

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: July 25, 1995  
FROM: Pat Keller, Director, OPZ  
SUBJECT: 1300 Merritt Boulevard

INFORMATION:  
Item Number: 489  
Petitioner: Exxon Corporation  
Property Size: \_\_\_\_\_  
Zoning: BM-AS & BM-CCC  
Requested Action: Special Exception & Special Hearing  
Hearing Date: 7/17/95

SUMMARY OF RECOMMENDATIONS:  
Staff has met with representatives of the applicant throughout the development of the plan accompanying the subject petition. The end result of these meetings is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: *Pat Keller*  
Division Chief: *Pat Keller*  
PK/JL

ITEM 489/PZON/ZAC1

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500 (410) 887-1506

DATE: 07/13/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: EXXON CORPORATION  
LOCATION: W/S MERRITT BLVD. NWC GERMAN HILL RD. (1300 MERRITT BLVD. EXXON)

Item No.: 489 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 24, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
For July 17, 1995  
Items 479, 481, 482, 483, 484, 487, 488, 489, 490, 491, 492, 493, 495 and 496

The Development Plans Review Division has reviewed the subject zoning item and we have no comments.

RWB:sw

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 7/18/95  
FROM: DEPRM Development Coordination  
SUBJECT: Zoning Advisory Committee Agenda: 7/10/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
489  
490  
491  
494  
496  
revised 467

LS:sp

LETTY2/DEPRM/TXTSBP

Maryland Department of Transportation  
State Highway Administration

7-7-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: 489 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
for Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

PETITION PROBLEMS  
AGENDA OF JULY 10, 1995

#479 --- CAM

1. No review information on bottom of petition form.

#485 --- JJS

1. Only one legal owner signature -- need signature of Kang.  
2. Need original signature for lessee.

#486 --- MJK

1. Petitioner was not given copy of receipt (still in folder).  
2. Need telephone number for legal owner.  
3. Need title of person signing for contract purchaser.

#488 --- RT

1. Need typed or printed name and title of person signing for contract purchaser.

#489 --- JRA

1. Need title of person signing for legal owner.

#493 --- JRA

1. Need telephone number for legal owner.  
2. Need address for legal owner.  
3. Need telephone number for attorney.

#494 --- JRA

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

#495 --- JJS

1. Notary public section is incomplete.

#496 --- JJS

1. No original signatures on petitions.

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR SPECIAL EXCEPTION  
1300 Merritt Boulevard, W/S Merritt Blvd.  
NMC German Hill Road, 12th Election  
District, 7th Councilmanic

EXXON CORPORATION  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-496-SPHX

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

To: Sophie?

Zoning Review

Perhaps you'd like to attach this to your Spec. Exc. file.

Simon  
12/28/95  
SL

95-496

07175K#

Development Review Committee  
Request Form

2 Copies of the Plan are Required FEE: \$40.00 (payable to Baltimore County and its municipalities)

Applicant Name: Exxon Corporation Filing Date: \_\_\_\_\_  
Address: 6301 Ivy Lane, Suite 700 Phone #: (410) 832-2000  
Greenbelt, MD 20770  
Project Name: Exxon Station at McClean Blvd. File #: \_\_\_\_\_  
Location: 1300 Merritt Blvd. ADC Map #: \_\_\_\_\_  
Councilmatic District: 7th Election District: 12th  
Request: ☐ Refinement ☒ Limited Exemption ☐ Waiver  
(Attach letter if necessary)

Committee Action DO NOT WRITE BELOW THIS LINE! TO BE FILLED OUT BY COUNTY

( ) Denied  
( ) Limited Exemption under Section 26-171 ( )  
( ) Material Amendment to the plan (new CRO or HOU must be scheduled)  
( ) Non-material Amendment to the CRO plus forwarded to Planning Board for determination  
( ) Plan Refinement (submit enough plans for the agencies checked off below)  
( ) Waiver recommendation forwarded to Planning Board for determination  
( ) Waiver of Standards referred to  
( ) Zoning requires a ( ) Special Hearing: ( ) Special Exception: ( ) Variance  
( ) Other

COMMITTEE COMMENTS:

Agencies to Review and Return Comments to Committee:  
( ) DPW ( ) OP2 ( ) Zoning ( ) DEPRM ( ) EIRD ( ) SWM ( ) Rec & Parks ( ) Fire

Signature of Coordinator: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

WHITEFORD, TAYLOR & PRESTON  
L.L.P.  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

DAVID K. GILDEA  
1107 N. W. 10TH STREET  
TOWSON, MARYLAND 21204-4515  
TELEPHONE 410 832-2000  
FAX 410 832-2015

317 KING STREET  
BALTIMORE, MARYLAND 21201-1202  
TELEPHONE 781 666-7742  
FAX 781 666-6214

July 3, 1995

Mr. Arnold Jablon  
Director, Office of Zoning Administration and  
Development Management  
Room 109, 111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Exxon Station at 1300 Merritt Boulevard

Dear Mr. Jablon:

Exxon Corporation, by and through its attorneys, G. Scott Barhight and Whiteford, Taylor & Preston, hereby request a limited exemption pursuant to § 26-171(a)(7) of the Baltimore County Code for the above-referenced property. Exxon will be requesting a special hearing to add a roll-over car wash to the existing fuel service station. The addition of the roll-over car wash to the site constitutes "the construction of a minor commercial structure" and we respectfully request a limited exemption pursuant to § 26-171(a)(7) be granted.

Thank you for your attention to this matter. With kind regards.

Very truly yours,  
David K. Gildea  
David K. Gildea

DKG:dmk

cc: Mr. Michael Specht  
3/19/95

Map showing property lines, streets (RABOL, JANE, GAY, MANOR, EWSKI, LAT, D.R. 105, D.R. 55, BM-GSA, BM-CCC, BM), and a site marked with an arrow.

SCALE: 1"=200'  
DATE: 06/23/94  
DR. BY: CH. BY: JBG  
PE: JBG  
PLAT NO. 95148.00

FREDERICK WARD ASSOCIATES, INC.  
ENGINEERS-ARCHITECTS-SURVEYORS  
5 SOUTH MAIN STREET  
BEL AIR, MARYLAND 21014-0727  
(410) 838-7900 (410) 879-2090

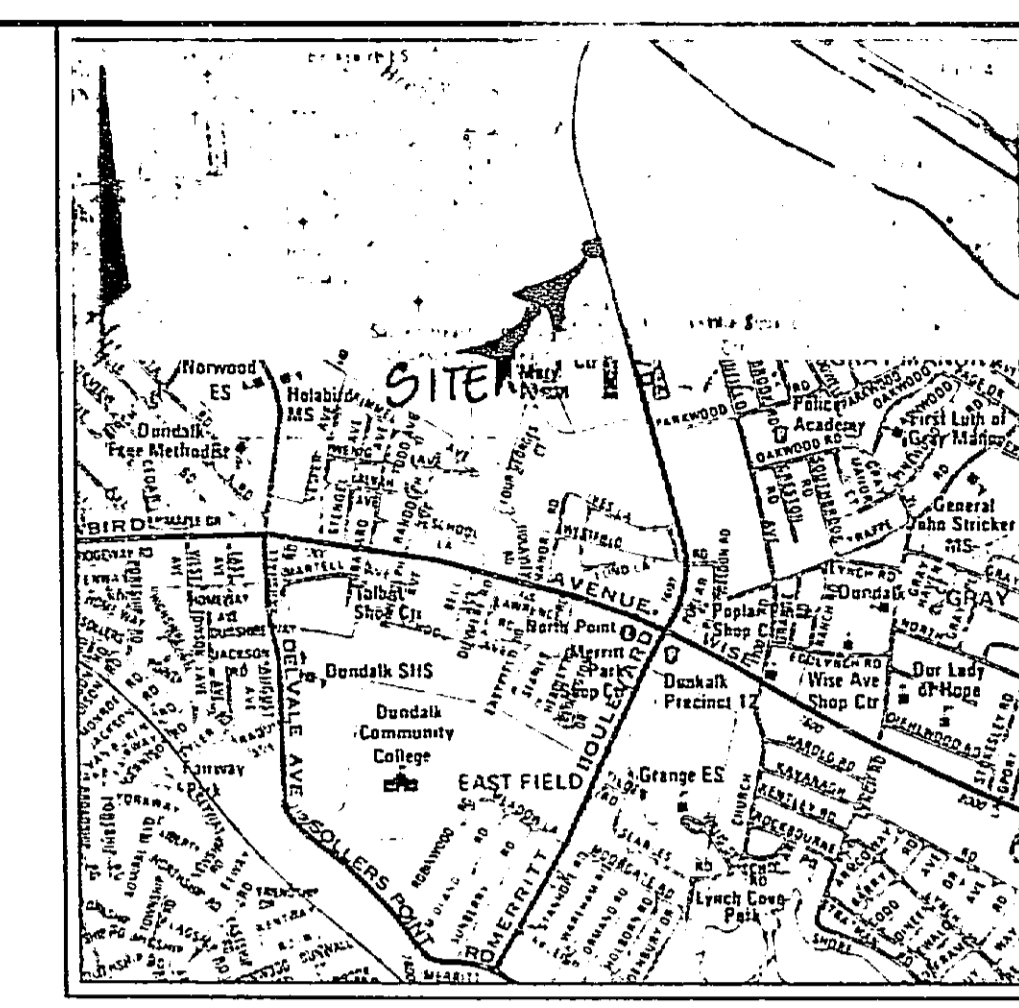
EXXON  
ZONING  
MAP  
LOCATION No. 2-7813  
1300 MERRITT BOULEVARD  
BALTIMORE, MARYLAND

95-496-SPHX #489

95-496-SPHX

Map showing a site marked with an arrow.

XHAS-964-56



VICINITY MAP  
SCALE: 1" = 2000'

NOTE  
YARD LIGHTS ARE LESS THAN 10' IN  
HEIGHT. LIGHTS ARE DIRECTED TOWARD  
SITE TO MINIMIZE ANY GLARE.

- VARIANCE AND CEB NOTES
- OWNER: EXXON CORPORATION  
6301 IVY LANE, SUITE 700  
GREENBELT, MD 20770
  - DEED: 6124-276
  - TAX ACCOUNT: 18-00-004810
  - DEVELOPMENT NAME: EXXON COMPANY, USA  
S.W. COR. MERRITT BLVD. & GERMAN HILL RD.  
N. 1100 MERRITT BOULEVARD
  - APPLICANT: EXXON CORPORATION  
6301 IVY LANE, SUITE 700  
GREENBELT, MD 20770  
MIKE SPECIT  
(301) 513-7511
  - ENGINEER: FREDERICK WARD ASSOCIATE, INC.  
2 SOUTH MAIN STREET  
P.O. BOX 727  
BELL AIR, MD 21014
  - ELECTION DISTRICT: 12
  - COUNCILMANIC DISTRICT: 7
  - CENSUS TRACT: 4207
  - WATERSHED: 35 SUB WATERSHED: 42
  12. SITE ACREAGE: GROSS 1.6167 AC. NET 1.6167 AC. OR 70,422.53 SF
  13. OFFSTREET PARKING:
    - RETAIL AREA (1104 X 3/1000) = 3.3
    - AIR/WATER: 1.0
    - VACUUM: 1 SPACE/UNIT: 1.0
    - EMPLOYEES: 1/EMPLOYEE X 2 = 2.0
    - CARWASH: 2.0 SPACE
    - WAITING SPACE: 2.0 SPACEREQUIRED: 12 SPACE PROVIDED: 12 SPACE
  14. FLOOR AREA RATIO: PERMITTED RATIO = 2.0 SITE PATIO 0.0263
  15. ESTIMATED A.D.T. = 748
  16. THERE ARE NO WETLANDS, CRITICAL AREA, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS WASTE MATERIAL SITES WITHIN THE SITE.
  17. EXISTING USE: CONVENIENCE STORE AND GAS & CO
  18. PROPOSED USE: CONVENIENCE STORE AND GAS & CO W/CAR WASH
  19. THERE ARE NO EXISTING OR PROPOSED SEPTIC AND/OR WELL AREAS.
  20. THERE ARE NO HISTORIC BUILDINGS ON SITE.
  21. STORMWATER MANAGEMENT WAIVER HAS BEEN GRANTED. DEC. 20, 1985
  22. ANCILLARY USES: CONVENIENCE STORE AND CAR WASH
  23. AREA DISTURBED BY NEW CONSTRUCTION: 19,540 SF
  24. ACCESS POINT: 2 ENTRANCES FROM MERRITT BLVD: 35' WIDE EACH
  - 1 ENTRANCE FROM GERMAN HILL ROAD: 35' WIDE
  - 1 ENTRANCE FROM SERVICE ROAD: 24' WIDE

PETITIONER'S  
EXHIBIT 1



AREA REQUIREMENTS:  
405 A. 13

15,000 SF  
3-1/2' COSE  
10-1/2' COSE HEDED

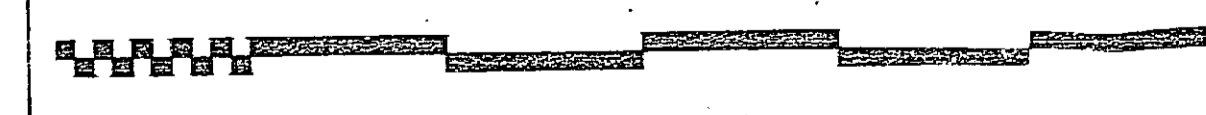
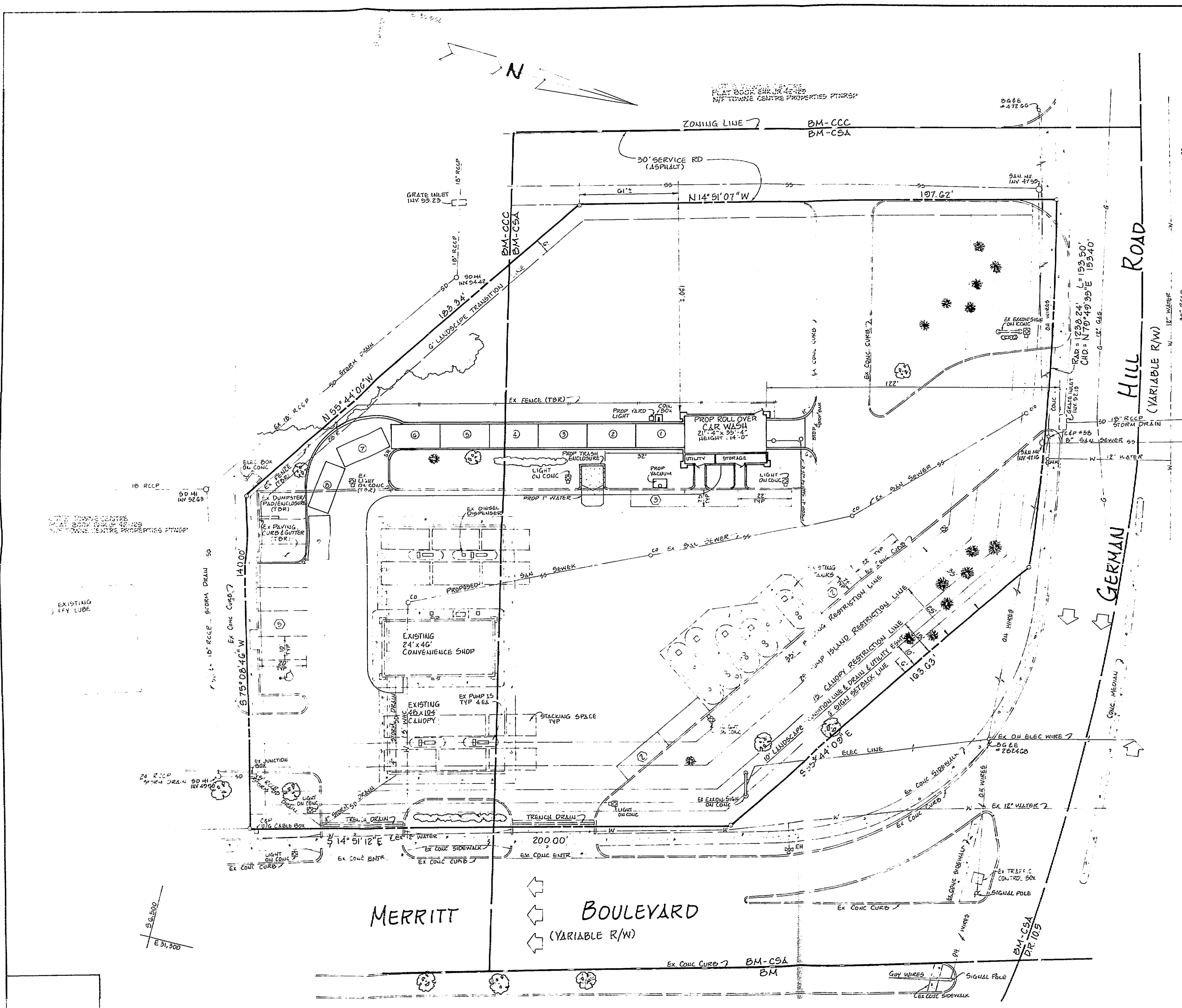
AREA OF PROPERTY: 70,422.53 SF

SPECIAL EXCEPTION  
NEEDED FOR COMBINATION USE, CAR WASH (CAR OVER 7'2")

ZONING HISTORY

Code # 07-209-12, SPEC. A. EXCEPTION AND VARIANCE TO PERMIT A FOOD STORE WITH LESS THAN 5,000 SF OF RETAIL SALES AREA IN COMBINATION WITH A SERVICE STATION, SPECIAL EXCEPTION, AND TO PERMIT FIVE OTHER BUSINESS SIGNS (TWO EXISTING FREESTANDING SIGNS WHICH ARE GRANDFATHERED AND PROPOSED TO BE ALTERED TO ADD THE SHOP SIGN TWO PROPOSED SPREADER BAR SIGNS WITH "EXXON" NAME, AND ONE PROPOSED SPREADER BAR SIGN WITH "DIESEL" PUMP IDENTIFICATION) TOTALING 535.28 SF (VARIANCE) SPECIAL EXCEPTION AND VARIANCE WAS GRANTED ON JANUARY 13, 1987

Plan to Accompany Special Hearings &  
SPECIAL EXCEPTION PLAN



EXXON	FREDERICK WARD ASSOCIATES, INC. ENGINEERS ARCHITECTS SURVEYORS	EXXON
SITE LAYOUT PLAN		